

Presented to the Court by the foreman of the Grand Jury in open Court, in the presence of the Grand Jury and FILED in the U.S. DISTRICT COURT at Seattle, Washington.

NOVEMBER 3 2011  
WILLIAM M. McCOOL, Clerk  
By [Signature] Deputy

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

POUTOA TUIOLEMOTU,

Defendant.

CR 11 0370 RAJ  
NO.

INDICTMENT

The Grand Jury charges that:

**COUNT 1**  
**(29 U.S.C. § 501(c) - Embezzlement of Labor Union Assets)**

Beginning at a time unknown, but not later than March, 2009, and continuing through April, 2010, in King County, within the Western District of Washington, the defendant, POUTOA TUIOLEMOTU, while an officer (Financial Secretary) of Glass, Molders, Pottery, Plastics, and Allied Workers Local Union 50, a labor organization engaged in an industry affecting commerce, did embezzle, steal, and unlawfully and

1 willfully abstract and convert to his own use the moneys, funds, and assets of said labor  
2 organization, in the approximate amount of \$17,250.51.

3 All in violation of Title 29, United States Code, Section 501(c).

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5 **ALLEGATION OF FORFEITURE**

6 1. The allegations contained in Count 1 of this Indictment are hereby realleged  
7 and incorporated by reference for the purpose of alleging forfeitures to the United States  
8 of America pursuant to Title 18, United States Code, Section 981(a)(1)(C) and Title 28,  
9 United States Code, Section 2461(c).

10 2. Upon conviction of the offense in violation of Title 29, United States Code,  
11 Section 501(c) set forth in Count 1 of this Indictment, the defendant, POUTOA  
12 TUIOLEMOTU, shall forfeit to the United States of America, pursuant to Title 18,  
13 United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section  
14 2461(c), any property, real or personal, which constitutes or is derived from proceeds  
15 traceable to the offense. The property to be forfeited includes, but is not limited to, the  
16 following:

17 a. A money judgment of forfeiture in the amount of \$17,250.51,  
18 representing proceeds of the offense.

19 3. If any of the property described above, as a result of any act or omission  
20 of the defendant:

- 21 a. cannot be located upon the exercise of due diligence;  
22 b. has been transferred or sold to, or deposited with, a third party;  
23 c. has been placed beyond the jurisdiction of the court;  
24 d. has been substantially diminished in value; or  
25 e. has been commingled with other property which cannot be divided

26 without difficulty,

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1 the United States of America shall be entitled to forfeiture of substitute property pursuant  
2 to Title 21, United States Code, Section 853(p), as incorporated by Title 28, United States  
3 Code, Section 2461(c).

4 All pursuant to 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461(c).

7 A TRUE BILL:

8 DATED: \_\_\_\_\_

9 *Signature of Foreperson redacted pursuant to*  
10 *the policy of the Judicial Conference of the*  
11 *United States*  
12 \_\_\_\_\_  
13 FOREPERSON

14   
15 \_\_\_\_\_  
16 JENNY A. DURKAN  
17 United States Attorney

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19 \_\_\_\_\_  
20 ANDREW C. FRIEDMAN  
21 Assistant United States Attorney

22   
23 \_\_\_\_\_  
24 DARWIN P. ROBERTS  
25 Assistant United States Attorney  
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27  
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